

**FILED
UNDER
SEAL**

Prob12C
D/NV Form
Rev. March 2017

United States District Court
for
the District of Nevada

PETITION FOR SUMMONS
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **Julio Nunez**

Case Number: **2:15CR00062**

Name of Sentencing Judicial Officer: **Honorable James C. Mahan**

Date of Original Sentence: **October 26, 2016**

Original Offense: **Use of a Firearm During, in Relation to, and in Furtherance of a Drug Trafficking Crime (Marijuana)**

Original Sentence: **42 Months prison, followed by 60 Months TSR.**

Date of Prior Revocation: **September 6, 2022**

Revocation Sentence: **Three (3) Months custody, followed by 30 Months TSR**

Date Supervision Commenced: **March 27, 2020**

Name of Assigned Judicial Officer: **Honorable Andrew P. Gordon**

PETITIONING THE COURT

☒ To issue a summons:

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Do Not Unlawfully Use Controlled Substance** - You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually.

RE: Julio Nunez

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Nunez submitted positive drug tests for methamphetamine on the following dates:

January 3, 2023
January 10, 2023
January 30, 2023
March 6, 2023
April 5, 2023

U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked

I declare under penalty of perjury that the
information contained herein is true and correct,

Executed on **April 19, 2023**



Digitally signed by
Matthew Martinez
Date: 2023.04.28
10:36:26 -07'00'

Matthew S. Martinez
United States Probation Officer

Approved:



Digitally signed by Brian
Blevins
Date: 2023.04.27
16:33:25 -07'00'

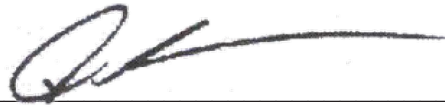
Brian Blevins
Supervisory United States Probation Officer

RE: Julio Nunez

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THE COURT ORDERS

- ☐ No Action.
- ☐ The issuance of a warrant.
- ☒ The issuance of a summons.
- ☐ Other:



Signature of Judicial Officer

May 1, 2023

Date

RE: Julio Nunez

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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. JULIO NUNEZ, 2:15CR00062

SUMMARY IN SUPPORT OF PETITION FOR SUMMONS
April 19, 2023

By way of case history, Nunez was originally sentenced to 42 months custody followed by five (5) years supervised release for committing the offense of Use of a Firearm During, in Relation to, and in Furtherance of a Drug Trafficking Crime (Marijuana). On March 27, 2020, Nunez commenced his first term of supervision. On September 6, 2022, supervision was revoked for three (3) months followed by 30 months supervision for violating numerous conditions of supervision. On November 29, 2022, Nunez commenced his second term of supervision.

As noted in the allegation above, Nunez has submitted numerous positive drug tests for methamphetamine since commencing this term of supervision. Nunez has a significant substance abuse history and has been afforded prior opportunities at inpatient treatment, outpatient treatment, and placement at the Residential Re-entry Center. Nunez acknowledges he's been provided the tools to remain sober, however, he has chosen not to utilize them.

Per 18 U.S.C. § 3583(g)(4), revocation is mandatory if the defendant as a part of drug testing, tests positive for illegal controlled substances more than 3 times over the course of 1 year. As noted above, Nunez has submitted five positive drug tests for methamphetamine since commencing this term of supervision. Therefore, it is respectfully recommended a summons be issued to initiate revocation proceedings and bring Nunez before the Court to show cause as to why supervision should not be revoked.

Respectfully submitted,



Digitally signed by
Matthew Martinez
Date: 2023.04.28
10:37:19 -07'00'

Matthew S. Martinez
United States Probation Officer

Approved:



Digitally signed by Brian
Blevins
Date: 2023.04.27 16:33:59
-07'00'

Brian Blevins
Supervisory United States Probation Officer